

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11490 JLT

TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA (FORMERLY
KNOWN AS THE TRAVELERS
INDEMNITY COMPANY OF ILLINOIS)
INDIVIDUALLY AND A/S/O DACON
CORPORATION AND A/S/O
CONDYNE VENTURES, LLC.,
Plaintiff

vs.

GENESIS INDEMNITY INSURANCE COMPANY
And TIG INSURANCE COMPANY,
Defendants

**EMERGENCY MOTION BY DEFENDANT GENESIS INDEMNITY
INSURANCE COMPANY TO EXTEND OPPOSITION TIME TO RESPOND
TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Now come the Defendant, Genesis Indemnity Insurance Company, in the above-referenced matter and hereby request this Honorable Court to extend the deadline for filing an Opposition to Plaintiff's Motion for Summary Judgment. The current deadline for filing opposition is November 15, 2005 and the Defendant is requesting an additional 2-week extension (until November 29, 2005).

As reasons for this motion, counsel for the defendant states Plaintiff's Motion for Summary Judgment was served on November 1, 2005 with voluminous attachments and the Defendant needs another two weeks to properly respond.

There will be no prejudice to the other parties as the hearing on the motions is set for January 19, 2006, and a delay in receipt of the opposition will not affect any party.

The Defendant, TIG Insurance Company, has no objection to this extension.

The Defendants,
Genesis Indemnity Insurance Company
By their attorney,

/s/Jocelyn M. Sedney
Jocelyn M. Sedney, BBO# 552115
BRODY, HARDOON, PERKINS & KESTEN, LLP
One Exeter Plaza, 12th Floor
Boston, MA 02116
(617) 880-7100

Dated: November 10, 2005

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11490 JLT

TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA (FORMERLY
KNOWN AS THE TRAVELERS
INDEMNITY COMPANY OF ILLINOIS)
INDIVIDUALLY AND A/S/O DACON
CORPORATION AND A/S/O
CONDYNE VENTURES, LLC.,
Plaintiff

vs.

GENESIS INDEMNITY INSURANCE COMPANY
And TIG INSURANCE COMPANY,
Defendants

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify that counsel for the Defendant, Genesis Indemnity Insurance Company has attempted to confer with William P. Mekrut, attorney for the Plaintiff in the above-entitled action, in a good faith attempt to resolve or narrow the issues raised by the instant motion, and that we have been unable to do so.

Respectfully submitted,
The Defendants,
Genesis Indemnity Insurance Company
By their attorney,

/s/ Jocelyn M. Sedney
Jocelyn M. Sedney, BBO# 552115
Brody, Hardoon, Perkins & Kesten, LLP
One Exeter Plaza, 12th Floor
Boston, MA 02116
(617) 880-7100

Dated: November 10, 2005